

Applic. No. 10/014,419

Amdt. dated January 7, 2004

Reply to Office action of October 7, 2003

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1, 2, and 4-11 remain in the application. Claims 1, 4, and 5 have been amended. Claim 3 has been cancelled

In item 3 on page 2 of the above-identified Office action, claims 5-11 have been rejected as failing to comply with the enablement requirement under 35 U.S.C. § 112.

More specifically, the Examiner has stated that recitation of "a frame storage device storing evaluation software" is not adequately described or explained in the specification. Claim 5 has been amended so as to facilitate prosecution of the application. Therefore, the rejection has been overcome.

In item 4 on page 3 of the above-identified Office action, claims 8-9 have been rejected as being indefinite under 35 U.S.C. § 112.

More specifically, the Examiner stated that in claim 8, the language of "said camera has optics that register" is vague as to its meaning. Furthermore, in a telephone conversation with the Examiner on January 7, 2004, the Examiner indicated that

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it is specifically the term "register" that is the heart of the rejection. As defined in "Webster's Third New International Dictionary" (see attached copy) register is defined as: "to record automatically". Based on the above-provided information, the Examiner is requested to withdraw the rejection.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In item 6 on page 3 of the Office action, claims 1-2, 5-9, and 11 have been rejected as being obvious over Farmer et al. (U.S. Patent No. 6,198,998) in view of Gibbon et al. (U.S. Patent No. 5,987,154) under 35 U.S.C. § 103.

In item 7 on page 8 of the Office action, claim 10 has been rejected as being obvious over Farmer et al. (U.S. Patent No. 6,198,998) in view of Gibbon et al. (U.S. Patent No.

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5,987,154) and in further view of Kamei et al (U.S. Patent No. 5,528,698) under 35 U.S.C. § 103.

It is appreciatively noted from item 8 on page 8 of the Office action, that claims 3 and 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the subject matter of allowable claim 3. Therefore claim 1 is allowable. Since claim 1 is allowable, dependent claims 2 and 4-11 are believed to be allowable as well.

In view of the foregoing, reconsideration and allowance of claims 1, 2, and 4-11 are solicited.

Since it is believed that only allowable claims remain, the early issuance of a Notice of Allowance is solicited.


In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

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If an extension of time for this paper is required, petition
for extension is herewith made.

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,


For Applicant(s)

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AKD:cgm

January 7, 2004

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investigation and record to the chairman, either by a post or by the owner of a ship engaged in foreign trade that sets forth the description, name, ownership, and other identifying data of the ship and serves as evidence of nationality and as a monument of title. **11** : a telegraphic recorder. **12** : a piece of registered mail. **13** : a range or row esp. when one of a series (the upper ~ of a design in fresco). **14** : a condition of being in correct alignment or in proper relative position.

register \ˈvə-ˈrɪs-tər-ēd, -rɪs-tər-ēd; -rɪs-tər-ēd; -rɪs-tər-ēd\ (tr.) **1** : to register (ML *registrare, registrum*, fr. ML *registrare, fr. ML registrum, fr. registrum*, n.) **vt** **1 a** : to record formally and exactly : make an accurate entry of in a formal record **b** : to make or secure an official entry of in a register (~rd the birth of his child) (~ a car) **c** : to enroll formally as a voter (in time for ~ing new voters) **d** : to record automatically : INDICATE **e** : to enter (a security) in the name of the owner in a formal record (a ~rd security, bearing the name of its owner on its face, is transferable only on written assignment of the owner of record and actual surrender of the certificate) **f** : to engage or assist in the formal enrollment of in a school or course (spent the morning ~ing graduate students) **2 a** : to make correspond exactly : adjust so as to secure correspondence **b** : to superimpose (two or more images) exactly (as in photographic printing or projection) **c** : to place or adjust (as a form, paper, or a cut) to print in register **3 a** : to record (a piece of mail) in the post office of mailing and at each successive point of transmission guaranteeing special care in delivery or for a fee above the minimum guaranteeing indemnity in case of loss, rifling, or damage **b** : to have (a piece of mail) registered **4** : to convey an impression of (his whole bearing ~ed intense fear); esp : to convey (as a piece of information, a mood, or awareness of a situation) by expression and bodily movements without the use of words — used esp. of actors in motion pictures ~ if **1** : to enroll, one's name in a register (~rd at the hotel); as **2** : to enroll one's name in a list of voters — compare REGISTRATIONS **3** : to enroll formally as a student in a school or course (planned to ~ for the second semester) **4 a** : to correspond exactly : fit correctly in relative position ; he in correct alignment one with another (the holes for the bolts ~ perfectly) **b** of printed matter : to be in register **c** : to adjust gunfire (as by artillery) on a visible point which preferably can be located on a map in order to permit prompt shifts to other visible targets or to secure data for corrections in firing on targets located on the map but not visible **3 a** : to manipulate or register **b** of an act : to convey (as by bodily movement or facial expression) an emotion, information, or other matter without the use of words **4** : to make an impression (the name simply didn't ~ with me)

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to take the property off-
ship, i.e., residence
register to attend pro-
mary, or election G
more images in color
picture photography
position 7; second
registering (carried in
reg-is-tration-al) V;
to registration
registration area n
registration of births
the Census Bureau at
population of the U
registration status
required to be filed (as
mission) by all issu-
specifically exempted
reg-is-trar V; registra-
(influenced by ME;
to register 1 -no-m
2 {regis-try V-suf-, n}
istering; ENGLISH N
fact of being entered
of the particular mat-
entry; PLANT b; a c
Greek ~s} 3: the
of registration; also,
or an entry in one
re-gist-um N
donal [NL, royal
money in England f
re-gius professor v
holder of a profes-
pendent on royal pa-
re-give V {re-t V f
regi abir regional
re-glaze V {re-t V f
with new glass; esp
regle m MF regler
negligent] obj; a hun
reglement n-s [MC;
re-g-men-tary V
f. regiment re-gy V
relating to, or invol-
reg-let also rig-let
reglet, strapline, tie,
straightedge, rule
1: a flat narrow
separate parts or
doubled, turned, a
other ornaments or
BATTEN 2 a: a strip
in thickness from 3
material in the in-
FURNITURE 2
re-glow V {re-t V f
re-glow V {t V f
again with glow
reg-nal V regn v
government, robe,
rained; of or rela-
tially V-nale, div
regnal year n: a y
moment or anniversary
regnal year of Queen
1917 ~ used esp.
reg-nan-ty V regne
or state of being re-
reg-nant V-nant v
regnant to reign